

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/892,788	NISHIKAWA, KENICHI	
	Examiner Sikha Roy	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 5/11/04.
2.  The allowed claim(s) is/are 1-23.
3.  The drawings filed on 12 October 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **DETAILED ACTION**

The Supplementary Amendment, filed on May 11, 2004 has been entered and overcomes the rejection of claims 1-6, 17,22 and 23 under 35 U.S.C. § 112, first paragraph.

#### ***Allowable Subject Matter***

Claims 1-23 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1,17,22 and 23 the references of the Prior Art of record fails to teach or suggest a spark plug with the combination of the limitations as set forth in claims 1,17,22,23 and specifically comprising the marking layer between 1 and 10  $\mu\text{m}$  formed on the insulator and glaze layer between 10 and 50  $\mu\text{m}$  covering the marking layer.

Claims 2-6 are allowed being dependent on claim 1.

Regarding claims 7 and 18 the references of the Prior Art of record fails to teach or suggest a spark plug with the combination of the limitations as set forth in claims 7 and 18, and specifically the limitation of the marking layer comprising 30 to 60 mass% of an Fe component in terms of  $\text{Fe}_2\text{O}_3$  and 10 to 40 mass % of a Cr component in terms of  $\text{Cr}_2\text{O}_3$ .

Claim 8 is allowed being dependent on the claim 7.

Regarding claims 9 and 19 the references of the Prior Art of record fails to teach or suggest a spark plug with the combination of the limitations as set forth in claims 9

and 19, and specifically the limitation of the marking layer comprising 10 to 40 mass% of a Co component in terms of CoO.

Regarding claims 10 and 20 the references of the Prior Art of record fails to teach or suggest a spark plug with the combination of the limitations as set forth in claims 10 and 20, and specifically the limitation of the marking layer comprising 0.5 to 15 mass% of a Ni component in terms of  $\text{Ni}_2\text{O}_3$ .

Regarding claims 11 and 21 the references of the Prior Art of record fails to teach or suggest a spark plug with the combination of the limitations as set forth in claim 11 and 21, and specifically the limitation of the marking layer comprising 0.5 to 15 mass% in total of at least one of an Al component and a Ba component, the Al component being in terms of  $\text{Al}_2\text{O}_3$  and the Ba component in terms of BaO.

The reasons for allowing claims 12 – 16 have already been cited in the previous office action.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2879

Status information for unpublished applications is available through Private PAIR only.  
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should  
you have questions on access to the Private PAIR system contact the Electronic  
Business Center (EBC) at 866-217-9197 (toll-free).

S.R.

Sikha Roy  
Patent Examiner  
Art Unit 2879

N.D.

NIMESHKUMAR D. PATEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800